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[1](#)B. KIGALI 323  
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Classified By: Amb. Michael Arietti for reasons 1.4 (b) and (d).

This edition of the monthly political roundup includes:

- The New Times - Inside the GOR Mouthpiece
- Alfred Kalisa - Former Bank Head Gets 2 Years
- New Gacaca Law - More Cases to Try
- President Kagame - Battling French, Spanish Judges, and Independent Journalists at Press Conference
- Senior Police Officers Suspended

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Little Editorial Freedom at the New Times  
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[1](#)1. (C) Kitty Llewelyn (protect), editor of the Sunday magazine for Rwanda's only daily newspaper, the English-language New Times, spoke with poloff June 7 about her experience as an expatriate working for the paper. Llewelyn described a culture in which members of the news room struggled against the dictates of the New Times management, which included editorial meetings focused on ways to promote the dominant Rwandan Patriotic Front in the upcoming legislative elections. She confirmed that the Office of the President sends and approves images of President Kagame used on the front page of the paper and said if management "had its druthers," Kagame would be featured every day. She also said open criticism of individual Government of Rwanda (GOR) officials was more acceptable to the paper's leadership than general criticism of the GOR at large, particularly in cases where an individual was falling out of favor.

[1](#)2. (C) Llewelyn said a small number of Rwandan journalists at the paper "worked with integrity," but were demoralized by their interactions with the paper's management staff and feared losing their jobs by speaking out or writing more critically. She described a "lost battle" in which newspaper management axed an op/ed piece addressing responsibility for the expulsion of journalists on World Press Freedom Day (ref B). She noted the dearth of economically feasible options for independent journalists and said her own efforts were focused on improving other technical aspects of the paper rather than the "quixotic goal" of changing the orientation

of the New Times away from "GOR mouthpiece."

13. (C) Comment: The New Times is ostensibly an independent publication; the extent of GOR influence on its content and the active role the New Times has been assigned in strengthening the dominant RPF in upcoming elections is revealing. End comment.

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Alfred Kalisa Not Guilty on Most Charges  
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4.(C) On June 10, a Rwandan court found former bank chairman Alfred Kalisa not guilty of the most serious fraud, forgery and abuse of position charges relating to his management of BCDI (now known as ECOBANK, following its sale to West African investors). Under arrest since January, 2007, Kalisa was sentenced to two years, three months in prison and given a 10 million Rwf fine (approximately \$18,000) for two minor charges -- failure to pay interest on an overdraft and non-compliance with central bank directives on BCDI's capitalization (ref A). Kalisa has filed an appeal, according to his attorney, hoping to overturn the two minor charges. Family members welcomed the result, although his sister told conoff that she believed no charge had been proven by the prosecution, and that Finance Minister James Musoni had pleaded with the judge to find Kalisa guilty of "something."

15. (C) Comment. The prosecution may have had difficulty sufficiently documenting the charges, particularly as the trial judge's original intent (on motion from Kalisa's lawyers) had been to add the bank's entire board as co-defendants -- a move blocked by the Supreme Court (ref C). A good part of the story behind the abuse and self-dealing at the bank may have been lacking; the local IMF representative believes the central bank turned its back on Kalisa's faults for quite some time (ref D). Kalisa hired the best criminal lawyers in the country, and they vigorously conducted his defense. Dismissal of most charges, in a high-profile prosecution of a former regime insider, can be fairly considered as judicial independence in action.

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New Gacaca Law - More "Justice on the Grass"  
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16. (U) On June 1, a revised gacaca law came into effect, extending gacaca court jurisdiction to additional Category 1 genocide cases, including local leadership and rape and sexual torture cases. The revised statute also provides for the commutation of custodial sentences; satisfactory completion of the original community service portion transforms the remaining jail term into community service. (Note: those convicted of genocide offenses now serve their suspended and TIG sentences first, followed by jail time). In a presentation on the new statute at the recent Judicial Reform Conference in Kigali (septel), National Gacaca Service head Domatilla Mukantaganzwa provided information on these cases, noting that 9362 cases remained to be heard under the revised statute, including 6608 bases of rape and sexual torture. The bulk of genocide cases already underway before ordinary courts will also be transferred to gacaca courts, about 1,200 cases. Mukantaganzwa said the actual prosecution of the remaining cases, most of which were found in the Southern Province, would begin "soon." Those categorized as national or provincial leaders of the genocide (several hundred cases) would still be tried before ordinary courts.

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President's Press Conference  
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17. (U) In a June 18, press conference, President Kigali addressed the recent arrest of four Rwanda Defense Force officers for the killing of Catholic clergymen in 1994, the French and Spanish indictments of senior Rwandan officials

and universal jurisdiction, Zimbabwe elections, and the absence of independent journalists from the press conference.

On the four officers, Kagame asked that the context of the killings be considered, suggesting the executed clergymen had been complicit in the genocide -- although the President was quick to add that no soldier should take justice into his own hands. He also said he was "scandalized" by the comments of Archbishop Thaddee Ntuhinyurwa, a Hutu and head of the Catholic Church in Rwanda, who had suggested on BBC that the four soldiers could not be tried properly in Rwanda.

¶8. (U) On the French and Spanish indictments, Kagame endorsed the concept of universal jurisdiction as exercised by international bodies, but suggested serious concerns existed regarding the concept's abuse by national jurisdictions. He termed the French and Spanish indictments of Rwandan officials "pure politics." On Zimbabwe, Kagame questioned the actions of President Mugabe and his unwillingness to allow opposition parties to take power if they win elections. Finally, on the absence of "independent" journalists from the press conference (representative of three local papers, Umuseso, Umuvugizi, Rushyashya, were not admitted, nor were Kinyarwanda service journalists from BBC and VOA) Kagame questioned their professionalism and their status as journalists, wondering if they qualified as "real" reporters. Kagame said he fully supported the actions of Information Minister Louise Mushikiwabo (who expelled several journalists from the World Press Freedom Day event mentioned in paragraph 2).

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Senior Police Officers on Administrative Leave  
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¶9. (C) On Friday, June 27, Commissioner of Police Andrew Rwigamba, head of the Criminal Investigation Division Costas Habyara, and a senior police official on the internal tendering board were suspended. An investigation has supposedly revealed favoritism and violation of tendering regulations regarding refurbishment of a unoccupied office building in downtown Kigali intended for use as a future police headquarters. Generally known as the Kabuga Building ((a property still owned by at-large genocide suspect Felicien Kabuga), one version of the story has Rwigamba pressuring the tender board to bestow contracts on a favored bidder, and the payment of cash to the tender board by a winning businessman. The story broke over the weekend in the local press, with police and interior ministry officials ducking phone calls from journalists looking for confirmation. From recent visa interviews with his children, we learned that Rwigamba has three children in college in the U.S., with sixty thousand dollars in yearly tuition bills to meet on his Commissioner's salary of approximately one thousand dollars a month.

¶10. (C) Comment. Corruption within senior police circles is never a cause for celebration, but suspensions and possible arrests do buttress the image President Kagame seeks to project of a government that punishes improperly behavior without fear or favor. End comment.

ARIETTI